

Attorney Docket No. MSU 4.1-672
Appl. No. 10/725,214
Amdt. Dated: January 24, 2006
Amendment in response to O.A. of 01/4/2006

REMARKS

Claims 1, 5, 6 and 7 are pending. Claims 2 and 4 have been cancelled and incorporated into Claim 1. No claims are allowed. Claims 6 and 7 are new.

Claims 1, 4 and 5 were rejected under 35 USC 102(b) as being anticipated by Andersen et al (WO 97/41137) or Shigeta (JP 03209321 A). Applicants have amended Claim 1 to include the limitations as to stomach, colon and both types of cancer cells and thus the claims are novel over these references. It is noted that Shigeta et al relates to an antiretrovirus agent which is quite different from the presently claimed invention. Reconsideration of this rejection is requested.

Claims 1 and 3 to 5 were rejected under 35 USC 103(a) as being *prima facie* obvious over Andersen et al. Claim 1 has been amended to call for a composition which consists essentially of malvidin as the active ingredient which inhibits cancer cells which are in the stomach, colon and in both, which was unexpected. This distinguishes the present invention

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from Andersen et al which does not specifically disclose the use of the aglycone malvidin *per se*. Certainly there is no suggestion that malvidin *per se* can be used with both colon and stomach cancers. It would not be obvious to one skilled in the art that both types of cancer cells could be treated (see Figure 7) as in Claim 1. Reconsideration is requested.

It is now believed that Claims 1, 5, 6 and 7 are in condition for allowance. Notice of Allowance is requested.

Respectfully,



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